

ARGUMENTS/REMARKS

Summary of Office Action

Claims 1-3 and 5-26 are pending in this application. Claims 6, 7, 10, 11, 17, 18 and 23-26 were withdrawn from consideration.

Claims 1-5, 7-9, 12-16 and 19-22\* were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ramsay U.S. Patent No. 4,682,430 (hereinafter "Ramsay") in view of Livingston U.S. Patent No. 1,877,919 (hereinafter "Livingston").

Summary of Applicants' Reply

Applicants respectfully traverse the Examiner's rejections.

Applicants' Reply to the Withdrawal of Claims

The Examiner withdrew claims 6, 7, 10, 11, 17, 18 and 23-26. Claims 6, 7, 10, 11, 17 and 18, however, depend from claims that have not been withdrawn. Accordingly, applicants respectfully request that the examiner reinstate any withdrawn dependent claim that depends from an allowed claim when such a claim is allowed.

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\* Given that claim 4 has been cancelled and claim 7 has been previously withdrawn, applicants interpret the Examiner's rejection as applying to claims 1-3, 5, 8, 9, 12-16 and 19-22.

Applicants' Reply to the Rejections under 103(a)

Claims 1-3, 5, 8, 9, 12-16 and 19-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ramsay in view of Livingston.

Ramsay discusses a panel with guide tracks for receiving a price chip support strip adjacent to a frame panel. The frame panel has "an opaque mask 39 on its forward face defining elongated clear window panels 40 for the display of the price chip indicia." Ramsay, col. 3, lines 35-37.

Livingston merely discusses a flat panel of glass adjacent to an assembly strip carrying a plurality of inscribed plates.

Claim 1

Applicants' invention, as described by claim 1, teaches a base having a first display window and a second display window. The invention includes a tile carrier located in the first display window and a picture retained in the second display window. The tile carrier comprises a top portion and a lower portion so that each tile can be slidably engaged with the top portion and lower portion of the tile carrier. The dimensions of the first display window are different from the dimensions of the second display window.

The Examiner stated that "[i]t would have been obvious

to one having ordinary skill in the art at the time this invention was made to construct [a] tile carrier of the price chip support strip taught [by] Ramsay with the tile carrier taught by Livingston to provide a means to slidably retain the tile so as to provide a means to selectively place the tile at any desired location on the carrier." Office Action, page 4.

However, Ramsay, Livingston or any combination of any of the cited prior art references does not show or suggest applicants' invention of claim 1 of a first display window and a second display window, wherein the dimensions of the first display window are different from the dimensions of the second display window and a picture is retained in the second display window. Ramsay merely discusses a "number of equal size display openings 23" (Ramsay, col. 2, lines 17-20), and Livingston discusses a single "flat panel of glass or other transparent material" (Livingston, col. 1, lines 35-36). Moreover, neither reference discusses the display of pictures.

Applicants further contend that Ramsay teaches away from the Examiner's proposed combination and that, moreover, this combination would render the Ramsay device inoperable for its intended purpose. Ramsay teaches a price chip support strip having pockets that allow a user to quickly and easily interchange individual price chips while avoiding "errors in the locating of the price chips along the support strip." Ramsay,

col. 1, lines 23-24. The Examiner's proposed combination, replacing Ramsay's price chip support strip with the assembly strip discussed in Livingston, would result in a device that does not guarantee the location or alignment of the price chips as taught by Ramsay. Therefore, Ramsay teaches away from the Examiner's proposed motivation of providing "a means to selectively place the tile at any desired location on the carrier." Office Action, page 4. Moreover, the proposed combination would require a user to completely disassemble a display in order to change a single price chip, which is directly contrary to its intended purpose thus rendering the Ramsay device inoperable to quickly and easily change individual price chips. For example, Ramsay enables a user to change the price of an object from \$123.45 to \$113.45 by easily replacing a single tile. That easy replacement would not be possible with the Examiner's proposed combination, where a user would have to remove all tiles to the left or right of the single tile to be changed. Accordingly, the Examiner's proposed combination is improper.

In light of the foregoing, applicants respectfully request that the Examiner's rejection of claim 1, and any claims dependent therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 12

Applicants' invention, as defined by claim 12, teaches

a base having a first display window and a second display window. A tile carrier is located in the first window for retaining tiles and a picture is operable to be displayed in the second window.

The Examiner stated that "[i]t would have been obvious to one having ordinary skill in the art at the time this invention was made to construct [a] tile carrier of the price chip support strip taught [by] Ramsay with the tile carrier taught by Livingston to provide a means to slidably retain the tile so as to provide a means to selectively place the tile at any desired location on the carrier." Office Action, page 4.

Ramsay specifically does not want to place tiles at "any" location. Ramsay wants tiles at very specific locations without having to change other tiles. This cannot be accomplished with the Examiner's proposed combination, which would therefore, eviscerate Ramsay's invention.

Moreover, neither Ramsay, Livingston nor any combination of any of the cited prior art references shows or suggests applicants' invention of claim 12 of a first display window and a second display window, wherein a picture is operable to be displayed in the second display window. As previously set forth, both references are silent on displaying pictures.

In light of the foregoing, applicants respectfully

request that the Examiner's rejection of claim 12, and any claims dependent therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 20

Applicants' invention, as described by claim 20, teaches a method for displaying an image that includes providing a base having a first and a second display window wherein the second window is adapted to receive the image. The invention further teaches aligning the first display window with a first aperture in an overlay and aligning the second display window with a second aperture in the overlay.

In addition to proposing the combination of Ramsay and Livingston, the Examiner stated that "the method limitations [of claim 20] are inherent in the teaching of Ramsay." Office Action, page 5.

However, Ramsay, Livingston or any combination of any of the cited prior art references does not show or suggest applicants' invention of claim 20 of a method that includes, for example, providing a base wherein the second window of the base is adapted to receive an image. Ramsay merely discusses the display of price chips having letters or numbers. Applicants further submit that neither Ramsay nor Livingston show or suggest applicants' claimed steps of aligning the first display window with a first aperture in an overlay and aligning the

second display window with a second aperture in the overlay.

Applicants further contend, as previously outlined, that Ramsay teaches away from the Examiner's proposed combination and, moreover, this combination would render the Ramsay device inoperable for its intended purpose. Accordingly, the Examiner's proposed combination is improper.

In light of the foregoing, applicants respectfully request that the Examiner's rejection of claim 20 and any claims dependent therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Claim 21

Applicants' invention, as described by claim 21, teaches a photograph frame comprising a base having a plurality of display windows and an overlay having a plurality of apertures, wherein the first of the plurality of apertures aligns with the first of the plurality of display windows.

The Examiner stated that "[i]t would have been obvious to one having ordinary skill in the art at the time this invention was made to construct [a] tile carrier of the price chip support strip taught [by] Ramsay with the tile carrier taught by Livingston to provide a means to slidably retain the tile so as to provide a means to selectively place the tile at any desired location on the carrier." Office Action, page 4.

However, Ramsay, Livingston or any combination of any

of the cited prior art references does not show or suggest applicants' invention of claim 21 of a photograph frame that includes an overlay having a plurality of apertures such that the first of the plurality of apertures aligns with the first of the display windows. Ramsay discusses a price support strip and is silent as to photograph frames. Livingston merely discusses a single panel of glass. Moreover, neither reference discusses an overlay having a plurality of apertures.

Applicants further contend, as previously outlined, that Ramsay teaches away from the Examiner's proposed combination and, moreover, this combination would render the Ramsay device inoperable for its intended purpose. Accordingly, the Examiner's proposed combination is improper.

In light of the foregoing, applicants respectfully request that the Examiner's rejection of claim 21 and any claims dependent therefrom, under 35 U.S.C. § 103(a) be withdrawn.

Conclusion

Applicants respectfully submit that this application,

including the pending claims, is in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted,



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